

October 30, 2007

Brian A. Davis, P.C.
(617) 248-5056
bad@choate.com

BY ELECTRONIC COURT FILING

The Honorable Douglas P. Woodlock
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
John Joseph Moakley U.S. Courthouse, Suite 4110
One Courthouse Way
Boston, Massachusetts 02210

Re: John Hancock Life Insurance Company, *et al.*
v. Abbott Laboratories
U.S.D.C. (Mass.) Civil Action No. 05-11150-DPW

Dear Judge Woodlock:

I write on behalf of plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Manulife Insurance Company (collectively "John Hancock"). At the recent status conference on Thursday, October 25, Your Honor instructed the parties to notify you by today, October 30, whether they would agree to submit the issues of (1) John Hancock's right to receive one-third of the unspent Aggregate Spending Amount as provided for in Section 3.3(b) of the March 2001 Research Funding Agreement, and (2) the availability of rescission as a potential remedy, for resolution by the court on a "case stated" basis. Please be advised that John Hancock's answer to Your Honor's inquiry is "yes" as to both issues.

Thank you for your consideration.

Very truly yours,



Brian A. Davis

cc: Jeffrey I. Weinberger, Esq. (by ECF and regular mail)
Peter E. Gelhaar, Esq. (by ECF and regular mail)
Michael S. D'Orsi, Esq. (by ECF and regular mail)

4266204.1